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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/455,534	12/07/1999	MICHAEL ZIRNGIBL	53470.000039	5280

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EXAMINER

GAUTHIER, GERALD

ART UNIT PAPER NUMBER

2645

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/455,534

Applicant(s)

ZIRNGIBL ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23 is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claim(s) 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Wolfe et al. (US 6,507,817 B1).

Regarding **claim(s) 1**, Wolfe discloses an integrated inbound and outbound voice service system (FIG. 1 and column 1, lines 14-17) comprising:

a first system for generating markup documents personalized for subscribers of at least one voice service, wherein the markup documents include voice service output information derived from a data repository (column 6, lines 19-39);

a call server (Web Server 64 on FIG. 1) comprising:

a storage device for storing the markup documents (72 on FIG. 3);

a call builder (62 on FIG. 1) operative to initiate an outbound voice-enabled communication to one or more subscribers using one or more of the markup documents (column 5, lines 16-37); and,

a call receiver operative to accept an inbound voice-enabled communication from one or more subscribers (column 6, lines 19-25;

wherein the call server accesses one or more of the markup documents for dynamically interacting with one or more subscribers of the at least one voice service, during either outbound or inbound voice-enabled communications, to enable the one or more subscribers to receive and respond to the voice service output information (column 6, lines 40-59).

Regarding **claim(s) 2 and 11**, Wolfe discloses a voice service system, wherein the call server further comprises an authentication module operative to authenticate an inbound voice-enabled communication (column 5, lines 38-50).

Regarding **claim(s) 3 and 12**, Wolfe discloses a voice service system, wherein the call server further comprises: a parser operative to extract text from the markup documents (column 5, lines 38-50); and,

a text-to-speech engine for converting the extracted text into speech (column 6, lines 7-14).

Regarding **claim(s) 4 and 13**, Wolfe discloses a system, wherein the call server further comprises a search module operative to search markup documents stored in the storage device (column 5, lines 14-35).

Regarding **claim(s) 5 and 14**, Wolfe discloses a system, wherein the search module comprises an SQL engine operative to query the storage device (column 5, lines 14-35).

Regarding **claim(s) 6 and 15**, Wolfe discloses a system, wherein the storage device comprises a relational database (column 5, lines 38-50).

Regarding **claim(s) 7 and 16**, Wolfe discloses a system, wherein the markup documents comprise extensible markup language documents (column 5, lines 38-50).

Regarding **claim(s) 8 and 17**, Wolfe discloses a system, wherein the markup documents comprise active voice pages (column 5, lines 38-50).

Regarding **claim(s) 9 and 18**, Wolfe discloses a system, wherein the markup documents comprise information accessed from an on-line analytical processing system (column 6, lines 40-59).

Regarding **claim(s) 10**, Wolfe discloses all the limitations of **claim(s) 10** as stated in **claim(s) 1**'s rejection above and furthermore Wolfe discloses storing the markup documents (column 5, lines 38-50).

Allowable Subject Matter

3. **Claim(s) 23** is allowed.

Response to Arguments

4. Applicant's arguments with respect to **claim(s) 1-18** have been considered but are moot in view of the new ground(s) of rejection.

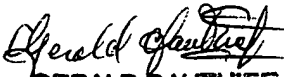
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539 . The examiner can normally be reached on 8:00 AM to 4:30 PM .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547 . The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system . Status information for published applications may be obtained from either Private PAIR or Public PAIR . Status information for unpublished applications is available through Private PAIR only . For more information about the PAIR system, see <http://pair-direct.uspto.gov> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) .


GERALD GAUTHIER
PATENT EXAMINER

99

March 3, 2006


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